

Public Contracts, Dept. of Labor

§ 50-201.1203

contract for materials, supplies, articles, or equipment to be manufactured or furnished in part within and in part outside such geographic limits shall not be applicable to any work performed under the contract outside such geographic limits;

(c) Contracts covering purchases against the account of a defaulting contractor where the stipulations required in this section were not included in the defaulted contract;

(d) Contracts awarded to sales' agents or publisher representatives, for the delivery of newspapers, magazines or periodicals by the publishers thereof.

[25 FR 12553, Dec. 8, 1960]

§ 50-201.701 Definition of "person."

Whenever used in the regulations in this part, the word *person* includes one or more individuals, partnerships, associations, corporations, legal representatives, trustees, trustees in bankruptcy, or receivers.

[1 FR 1627, Sept. 19, 1936. Redesignated at 24 FR 10952, Dec. 30, 1959]

§ 50-201.1101 Minimum wages.

Determinations of prevailing minimum wages or changes therein will be published in the FEDERAL REGISTER by the Wage and Hour Division, ESA, of the Department of Labor.

[52 FR 6147, Mar. 2, 1987]

§ 50-201.1102 Tolerance for apprentices, student-learners, and handicapped workers.

(a) Apprentices, student-learners, and workers, whose earning capacity is impaired by age or physical or mental deficiencies or injuries may be employed at wages lower than the prevailing minimum wages, determined by the Secretary of Labor pursuant to section 1(b) of the Public Contracts Act, in accordance with the same standards and procedures as are prescribed for the employment of apprentices, student-learners, handicapped persons, and handicapped clients of sheltered workshops under section 14 of the Fair Labor Standards Act of 1938, and by the regulations of the Administrator of the Wage and Hour Division of the Department of Labor issued thereunder (29

CFR parts 520, 521, 524, 525, and 528).

(b) Any certificate in effect pursuant to such regulations shall constitute authorization for employment of that worker under the Public Contracts Act in accordance with the terms of the certificate, insofar as the prevailing minimum wage is concerned.

(c) The Administrator is authorized to issue certificates under the Public Contracts Act for the employment of apprentices, student-learners, handicapped persons, or handicapped clients of sheltered workshops not subject to the Fair Labor Standards Act of 1938, or subject to different minimum rates of pay under the two acts, at appropriate rates of compensation and in accordance with the standards and procedures prescribed by the applicable regulations issued under the Fair Labor Standards Act of 1938 (29 CFR parts 520, 521, 524, and 525).

(d) The Administrator is also authorized to withdraw, annul, or cancel such certificates in accordance with the regulations set forth in 29 CFR parts 525 and 528.

[28 FR 9529, Aug. 30, 1963, as amended at 52 FR 6147, Mar. 2, 1987]

§ 50-201.1201 [Reserved]

§ 50-201.1202 Complaints.

Whenever any officer or employee of the United States Government or of any agency thereof has any knowledge of, or receives any complaint with respect to, a breach or violation of the stipulations required under § 50-201.1, he shall transmit such complaint according to the usual practice in his department to the Department of Labor, together with such other information as he has in his possession.

[1 FR 1627, Sept. 19, 1936. Redesignated at 24 FR 10952, Dec. 30, 1959]

§ 50-201.1203 Other contracts.

Nothing in this part shall be construed as impairing the authority possessed by any contracting agency to require labor standards in contracts not covered by this act.

[1 FR 1627, Sept. 19, 1936. Redesignated, at 24 FR 10952, Dec. 30, 1959]

PART 50-202—MINIMUM WAGE DETERMINATIONS

Subpart A—Application and Scope

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50-202.1 Application and scope.

Subpart B—Groups of Industries

50-202.2 Minimum wage in all industries.

50-202.3 Learners, student learners, apprentices, and handicapped workers.

Subpart C [Reserved]

CROSS REFERENCE: For regulations relative to employment of learners, see 29 CFR part 522.

AUTHORITY: Secs. 1, 4, and 6, 49 Stat. 2036, 2038; 41 U.S.C. 35, 38, 40. Sec. 10, 66 Stat. 308; 41 U.S.C. 43a.

Subpart A—Application and Scope

§ 50-202.1 Application and scope.

Not less than the minimum wages prescribed in this part shall be paid to employees described in §50-201.102 of this chapter when their work relates to contracts subject to the Walsh-Healey Public Contracts Act. The minimum wages prescribed in this part shall apply to all contracts bids for which are solicited or negotiations otherwise commenced on or after the effective date of the applicable determination. Nothing in this part shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this part.

(Secs. 1, 4, 49 Stat. 2036, 2038; 41 U.S.C. 35, 38)

[26 FR 9043, Sept. 26, 1961]

Subpart B—Groups of Industries

§ 50-202.2 Minimum wage in all industries.

In all industries, the minimum wage applicable to employees described in §50-201.102 of this chapter shall be not less than \$3.35 per hour commencing January 1, 1981, \$3.80 per hour commencing April 1, 1990, and \$4.25 per hour commencing April 1, 1991.

[56 FR 32258, July 15, 1991]

§ 50-202.3 Learners, student learners, apprentices, and handicapped workers.

Learners, student learners, apprentices, and handicapped workers may be employed at less than the minimum wage prescribed in §50-202.2 to the same extent such employment is permitted under section 14 of the Fair Labor Standards Act.

(Sec. 6, 49 Stat. 2038; 41 U.S.C. 40)

[43 FR 28495, June 30, 1978]

Subpart C [Reserved]

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AUTHORITY: Sec. 4, 49 Stat. 2038; 41 U.S.C. 38.